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Chairman: Mr. Ashe ..... (Antigua and Barbuda)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Saha

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The meeting was called to order at 10.05 a.m.

Organization of work

1. **The Chairman** drew attention to the proposed programme of work of the Committee for the first part of the resumed sixtieth session of the General Assembly. The proposed programme, which had been distributed informally, had been prepared on the basis of the note by the Secretariat on the status of preparedness of documentation (A/C.5/60/L.30).

2. **Ms. Lock** (South Africa), speaking on behalf of the Group of 77 and China, said that, at the main part of the session, the Committee had dealt with many important, time-bound items in a short period and had adopted a good programme budget that would enable the Organization to implement its mandates and programmes over the next two years. However, owing to the unfortunate link made between the programme budget and the reform process, a spending cap had been imposed on the Secretary-General. Furthermore, the Committee had had to resort to a vote on a purely procedural matter that could have been resolved through negotiations. In addition, consideration of a number of important items which, though not time-bound, were essential for the smooth functioning of the Organization, including planning, accountability, management and oversight of the Secretariat, had been deferred, as had negotiations on several draft resolutions, while other texts had been put before the Committee without informal consultations taking place.

3. Members should reflect on those unfortunate experiences with a view to taking corrective action so as to avoid any recurrence at the resumed session. The Secretariat, for its part, should make every effort to provide Member States with complete and unbiased information. In addition, the Bureau should liaise with the Secretariat and the Advisory Committee on Administrative and Budgetary Questions (ACABQ) to ensure that documentation reached the Fifth Committee in good time. The Bureau should ensure that the programme of work was realistic, reflected the interests of the collective membership and allocated sufficient time for thorough consideration of both new and deferred items, including the follow-up to the 2005 World Summit Outcome. The established practices and rules of procedure of the General Assembly, which provided a transparent framework for negotiations, should be respected.

4. The Group believed that, through open and frank dialogue with other Member States and the Secretariat, it could help to ensure that the Committee's final decisions reflected the interests of all Member States and that the tradition of decision-making by consensus was upheld. It stood ready to engage in such dialogue and trusted that other members did too.

5. **Mr. Drofenik** (Austria), speaking on behalf of the European Union, the acceding countries Bulgaria and Romania; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia and Montenegro; and, in addition, Liechtenstein, Norway and the Republic of Moldova, said that the Committee had a demanding programme of work and should focus on the most pressing items. Sufficient resources must be provided to ensure that all special political missions were fully funded in the biennium 2006-2007. Another priority was the capital master plan. The European Union looked forward to receiving more detailed information on the project at the resumed session. It would be crucial to secure a clear commitment from all Member States, particularly the host country, to participate fully in the financing of the project. The methodology for the preparation of the scale of assessments must be finalized for submission to the Committee on Contributions. In addition, the issue of the unpaid assessed contributions of the former Yugoslavia must be resolved in a timely manner.

6. The Fifth Committee would play an important role in the implementation of the 2005 World Summit Outcome. In that connection, the European Union regarded the establishment of a Peacebuilding Support Office as a priority. It welcomed the constructive and complementary approach that was being taken to the issue of Secretariat and management reform and trusted that the plenary Assembly would continue to focus on the political aspects, while the Committee dealt with the administrative and financial aspects of the process. The related report of the Secretary-General should be considered expeditiously.

7. **Mr. Talbot** (Guyana), speaking on behalf of the Rio Group, said that the Committee should conduct its deliberations in a transparent and inclusive manner, so that all delegations were able to participate effectively.

The Group attached particular importance to the efficient functioning of the Organization and the proper utilization of the resources approved in the programme budget. In that connection, the Committee had a responsibility to ensure enhanced accountability. The linkage made between the programme budget and the reform process and the decision to restrict the Secretary-General's spending authority were regrettable. The Group hoped that the smooth implementation of the Organization's mandates would not be affected.

8. Real capacity to pay must remain the primary consideration in preparing the next scale of assessments. The members of the Rio Group had done their utmost to fulfil their financial obligations to the United Nations, notwithstanding pressing social needs and domestic budget difficulties, and they urged all Member States to do likewise.

9. Concerning the refurbishment of the Headquarters complex, the Secretariat must continue the implementation of the design and pre-construction phases of the capital master plan. While scope remained for further analysis of the four options proposed, the Rio Group had taken note of the Secretariat's preference for strategy IV, execution of the project by stages.

10. Continued efforts were necessary to improve management practices in the Organization. The Secretary-General was to be commended for the steps taken to improve accountability and integrity and to make the administration of justice in the United Nations more transparent. The prospects for success were good, provided that the Secretary-General worked in concert with expert bodies, including ACABQ, which must retain its function as an independent advisory body of the General Assembly, and the Committee for Programme and Coordination, which must be strengthened to enable it to play its distinctive role in the review of United Nations programmes.

11. With regard to the programme of work, the Bureau should allocate sufficient time for the consideration of all agenda items. The timely issuance of documentation would enable delegations to undertake the requisite analysis of the important issues before the Committee. The Rio Group was prepared to negotiate with a view to reaching a consensus based on Member States' common interests.

12. **Mr. Kirn** (Slovenia), speaking on behalf of the five successor States of the Socialist Federal Republic of Yugoslavia (Bosnia and Herzegovina, Croatia, Serbia and Montenegro, Slovenia and the former Yugoslav Republic of Macedonia), said that the report of the Secretary-General on the unpaid assessed contributions of the former Yugoslavia (A/60/140 and Corr.1) did not constitute an adequate or appropriate basis for the Committee's deliberations on the matter. The Secretary-General should submit a revised report that took into account the concerns raised by the five States in their correspondence and discussions with the Secretariat.

13. **Ms. Lock** (South Africa), speaking on behalf of the Group of 77 and China, said that the Group's position on the report of the Secretary-General prepared in response to paragraphs 162 and 163 of the Summit Outcome was well known. However, in the light of some of the statements just made, she felt compelled to reiterate it. The Group believed that the established practices, rules of procedure and relevant resolutions of the General Assembly must be respected, as must the agreements reached by Member States in December 2005 and reaffirmed in January 2006. The Group's position was set out in a letter dated 3 March 2006 from the Permanent Representative of South Africa addressed to the President of the General Assembly (A/60/707).

14. The Group would be prepared to adopt the proposed programme of work on the understanding that it would be amended as necessary in order to reflect ongoing developments.

15. **The Chairman** said he took it that the Committee wished to adopt the proposed programme of work based on that understanding.

16. *It was so decided.*

Agenda item 130: Joint Inspection Unit (*continued*) (A/60/659; A/C.5/60/CRP.1)

17. **Mr. Wide** (Chef de Cabinet, Office of the President of the General Assembly) introduced the note by the President of the General Assembly on the procedures for the appointment of inspectors of the Joint Inspection Unit (A/60/659), in which a simplified process was proposed for the selection and appointment of inspectors. The current two-step process effectively began two years prior to inspectors taking up their mandates. The new process, which was

described in paragraph 11 of the note, would be more expeditious. In January, the President of the General Assembly would inform the Chairmen of the regional groups of the posts of inspector becoming vacant at the end of the calendar year and invite Member States of the relevant regions to submit the names of countries and their proposed candidates for the posts. In March, after consultation with the members of their respective groups, the Chairmen of the regional groups would submit simultaneously to the President the names of countries and their proposed candidates for the vacant posts. From April to July, the President would proceed with the consultation process outlined in article 3, paragraph 2, of the statute of the Joint Inspection Unit and in the relevant resolutions of the Assembly and review the qualifications of the proposed candidates to ensure that they met the necessary requirements. From August to September, after completing the consultations, the President would submit the names of all qualified candidates to the Assembly, even if the number of candidates exceeded the number of vacant posts to be filled. The Assembly would then proceed with the appointment process in accordance with its rules of procedure.

18. **Ms. Wynes** (Chairperson of the Joint Inspection Unit) introduced an advance version of the programme of work of the Joint Inspection Unit (JIU) for 2006 (A/C.5/60/CRP.1), which had been issued in response to requests from several delegations that it should be submitted at an early stage in the Committee's deliberations. The final version of the programme of work for 2006 would be submitted in a consolidated document, together with the Unit's 2005 annual report, during the sixty-first session of the Assembly. As part of its ongoing internal reform, the Unit was seeking to identify ways of adapting its overall planning process in order to allow for more timely submission of its programme of work to the Assembly.

19. In formulating its programme of work the Unit had taken into account the General Assembly's request, contained in resolution 59/267, that it should focus mainly on management issues. In addition to the proposals received from the secretariats of its participating organizations, it had drawn upon its own internal management assessments and the proposals of individual inspectors. The programme of work for 2006 therefore included management reviews in the World Meteorological Organization (WMO) and the International Civil Aviation Organization (ICAO), as well as a follow-up report on a management review of the Office of the United Nations High Commissioner for Human Rights (OHCHR).

20. The programme of work also included four reports on administration and management issues that either were system-wide or related to several organizations, including ageing of human resources, selected telecommunications issues, liaison offices and Goodwill Ambassador programmes. The Unit would also submit a review of environmental governance within the United Nations system and a review of the progress made towards the Millennium Development Goal to combat HIV/AIDS, both of which would cover several organizations.

21. JIU would also review the implementation of results-based management in the United Nations system, the use of the Integrated Monitoring and Documentation Information System (IMDIS) as a tool for results-based management, and the issue of staff mobility in the United Nations. In preparing its programme of work, JIU had made every effort to identify as broad and topical a range of subjects as possible, with a view to striking a balance among the interests of its clients, providing an opportunity to identify best practices across the system, and identifying specific areas for achieving cost savings and enhancing cost-effectiveness.

22. **Mr. Drofenik** (Austria), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia and Montenegro; and, in addition, Norway, the Republic of Moldova and Ukraine, said that the European Union strongly supported efforts to improve the selection process for JIU inspectors, which must become more simple, transparent and reliable and must ensure that the candidates met the necessary professional requirements. The strengthening of the consultative role of the President of the General Assembly and the shortening of the overall process were important means to that end, and the European Union welcomed the relevant proposals contained in document A/60/659.

23. With regard to the JIU programme of work for 2006, he recalled that in the Committee's deliberations during the main part of the sixtieth session several delegations had emphasized the need to discuss the

Unit's programme of work in a more timely manner. The European Union was therefore pleased to see that JIU had listened to the concerns of Member States and made the programme of work available at an early stage. His delegation would reflect on the topics proposed and offer further comments during the Committee's informal consultations.

24. **Mr. Cardy** (South Africa), speaking on behalf of the Group of 77 and China, welcomed the inclusion in the JIU programme of work for 2006 of a number of topics that not only were of system-wide relevance, but also would enhance the effectiveness of the Organization's work. The Group would carefully study the proposals made by the President of the General Assembly in his note on the procedure for the appointment of inspectors, with a view to the early approval of a process that would uphold the highest standards in the selection of candidates.

25. The efforts to reform the selection process should be guided by its intergovernmental nature and by the need to ensure that potential candidates were technically qualified and selected in accordance with the principle of equitable geographical distribution and reasonable rotation, as set out in article 3, paragraph 1, of the JIU statute. The Group would welcome more information on the safeguards that would be put in place to ensure the equitable geographical distribution of JIU posts and the precise roles to be played in the process by the Presidents of the General Assembly and the Economic and Social Council. It would also like to know whether a country whose original candidate was eliminated on technical grounds prior to submission of the final list of candidates to the Assembly could submit new candidates.

26. **Ms. Soni** (Canada), speaking also on behalf of Australia and New Zealand, welcomed the proposals set out by the President of the General Assembly on procedures for the appointment of JIU inspectors, contained in document A/60/659. The issues addressed therein were a crucial part of the efforts to improve the Unit's functioning and the quality of its contribution.

27. During the Assembly's fifty-ninth session the Committee had made some progress in defining the qualifications and experience required of inspectors and in improving the screening and selection process. She fully supported the proposal of the President of the General Assembly to replace the time-consuming and expensive two-year process with a one-year process which would maintain the roles of regional groups while providing for the screening required under the JIU statute and the relevant provisions of General Assembly resolution 59/267. The proposal would help ensure the quality that would be required of JIU if its contribution to the Organization was to be commensurate with its cost.

28. **Ms. Shah** (United States of America) welcomed the proposals of the President of the General Assembly concerning the selection process, and hoped that they would ensure that JIU inspectors would be better qualified as a result. While her delegation would reserve its comments on the JIU programme of work for the Committee's informal consultations, its position had always been that JIU should focus on issues of efficiency rather than on more academic issues. She asked the Chairperson of JIU to update the Committee on the reforms of the Unit mandated by General Assembly resolution 59/267.

29. **Ms. Wynes** (Chairperson of the Joint Inspection Unit) said that JIU had strictly adhered to the principle of collective wisdom in accordance with paragraphs 13 to 15 of General Assembly resolution 59/267. The programme of work for 2006 had been subjected to a very in-depth process of collective review, and the Unit's response to paragraph 16 of that resolution, which concerned the desirability of continuity in the Bureau, was reflected in the fact that she herself had served previously as Vice-Chairperson of the Unit.

30. With regard to the system-wide perspective called for in paragraph 17, of the Unit's 11 new projects for 2006, six were multi-agency in nature. JIU had also continued with its series of management risk assessments. It had completed seven more in 2006, and three of the 11 new projects had been proposed on the basis of those assessments. In its series of reports on results-based management, the Unit had proposed some concrete management benchmarks by which to score the programmes of United Nations agencies, in line with the requirement in paragraph 18 of the resolution to establish management criteria. The benchmarks had been endorsed by the Committee for Programme and Coordination (CPC) and were viewed as a standard for that purpose.

31. With respect to the focus on management and accountability, as required under paragraphs 20 and 21 of the resolution, eight of the 11 themes chosen for 2006 focused on management and accountability

issues, and three dealt with the delivery of substantive programmes. Moreover, JIU was continuing its series of reviews of administration and management, focusing on WMO and ICAO.

32. With regard to the follow-up process required under paragraph 19, the Unit had moved from a system of monitoring only actions taken by legislative bodies, introduced in the biennium 2003-2004, to a system of monitoring their implementation, in the biennium 2004-2005, and then to a system of monitoring the potential impact of its recommendations and tracking them through time. JIU had continued to monitor and adjust its procedures in order to streamline its work further. Revised procedures had been approved in December 2005 and would be further refined during 2006. The Unit had continued to seek ways to improve its performance and make better use of the resources at its disposal. For example, it had introduced a videoconferencing facility and was recruiting an inspection officer with a background in forensic auditing and investigation. Those actions were being implemented within existing resources and within the approved staffing table.

Agenda item 124: Proposed programme budget for the biennium 2006-2007 (*continued*)

Programme budget implications of draft resolution A/60/L.48: Human Rights Council (A/C.5/60/28 and A/60/7/Add.34)

33. **Ms. van Buerle** (Officer-in-Charge of the Programme Planning and Budget Division) introduced the Secretary-General's statement on the programme budget implications of draft resolution A/60/L.48, contained in document A/C.5/60/28. Paragraphs 3 to 9 of the statement detailed those paragraphs of the draft resolution that would give rise to programme budget implications, while paragraphs 10 to 15 and the section on the modification of the programme of work for the biennium 2006-2007 detailed those areas of work that would need to be amended in accordance with the provisions of the draft resolution.

34. Paragraph 16 made specific reference to section 23 of the programme budget for the biennium 2006-2007. Modifications to sections 2 and 28E were not likely to be required, since the programme of work had already incorporated additionalities. The total additional requirement would be $4,503,700, and the relevant funding arrangements were described in paragraphs 25 to 32 of the document. Paragraph 32 indicated how the total would be accommodated, with offsets totalling $175,000. The amount expected to be charged to the contingency fund was therefore $4,328,700. The action required of the Committee was outlined in paragraph 35 of the report, and the Committee's attention was also drawn to General Assembly resolution 60/248, in which the Assembly had noted that the balance of the contingency fund at that time, on 23 December 2005, had been $4.9 million.

35. **Mr. Saha** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's report (A/60/7/Add.34) on the Secretary-General's statement of programme budget implications, said that, apart from the establishment of two posts for human rights officers, most of the costs expected to arise from the draft resolution related to conference servicing. The Advisory Committee had no objection either to the posts or to the estimates for conference servicing. It had requested and received details of the conference-servicing costing parameters, and encouraged the Secretariat to explore innovative ways and means, such as digital recording, to provide the necessary services.

36. **Mr. Drofenik** (Austria), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the stabilization and association process country Serbia and Montenegro; and, in addition, Norway, said that the establishment of the Human Rights Council would represent a major step towards the further strengthening of the Organization's human rights system. The Council's establishment had been mandated at the 2005 World Summit and was an issue of considerable interest to Governments and civil society. The European Union was pleased that the outcome of the negotiations had finally reached the Committee and was ready to begin discussions on the draft text without delay.

37. The European Union agreed with the Secretary-General's estimate of the programme budget implications of the draft resolution. The Human Rights Council must be provided with adequate resources. While reiterating its long-standing position on the need for prudent use of the contingency fund, the European Union was pleased that the additional expenditures could be met from within the remaining balance of the fund.

38. **Mr. Torres Lépori** (Argentina) said that his delegation wished to reaffirm its support for the establishment of the Human Rights Council, which was a fundamental part of the process of reforming the United Nations, and supported the resource request made by the Secretary-General and endorsed by the Advisory Committee.

39. **The Chairman** said that, in accordance with its customary practice, the Committee would hold informal consultations on the draft resolution.

40. **Mr. Abdelaziz** (Egypt) said it was his understanding that negotiations on the draft resolution were still under way in the General Assembly. Should the draft resolution be amended, the programme budget implications would need to be changed accordingly, and the Committee might therefore be wasting time and resources if it held informal consultations at the current stage. He therefore wondered whether the Committee should defer its own informal consultations until Member States had reached full agreement on the draft resolution.

41. **The Chairman** said that at the current stage, the Committee's informal consultations would represent an initial approach to the issue, and were unlikely to lead to an immediate decision. All the concerns expressed by Committee members would be taken into consideration. The Committee would therefore hold informal consultations on the matter.

Agenda item 122: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Strengthening the investigation functions in the United Nations (A/60/674)

42. **Ms. Lock** (South Africa), speaking on behalf of the Group of 77 and China, said that during the General Assembly's fifty-ninth session and the main part of its sixtieth session the Committee had approved several measures aimed at strengthening the investigation functions in the United Nations and ensuring that staff were held accountable for misconduct and wrongdoing.

43. General Assembly resolution 59/287 had set out the roles and responsibilities of the Office of Human Resources Management, programme managers and the Office of Internal Oversight Services (OIOS) in conducting investigations and reporting findings to the appropriate Secretariat bodies and to the Assembly. Moreover, the Committee had approved measures to prevent and address sexual exploitation and abuse, and the General Assembly, in resolution 59/296, had requested the Secretary-General to develop a comprehensive policy on the matter, including on the undertaking of investigations.

44. The Committee had also approved the establishment of the Ethics Office, the Organization's whistleblower protection policy and the expansion of the auditing and investigation capacity of OIOS. Member States had reached consensus on the responsibilities and the reporting and training requirements of the Ethics Office, as well as on the comprehensive follow-up review of the Office, the outcome of which would be submitted to the General Assembly at its sixty-second session. They had also reached consensus on the focus of the comprehensive governance review and on the need to submit the independent external evaluation of the auditing and investigation system to the Assembly before the governance review.

45. The Group would therefore be grateful if the Secretariat could inform the Committee of the steps taken to ensure adherence to the agreements that had been reached by Member States and conveyed to the President of the Assembly by the Chairman of the Committee in document A/60/611. It would also appreciate further details on the status of the interim procedures and protocols intended to ensure prompt reporting to OIOS of cases of misconduct arising in field missions, as referred to in paragraph 3 of the note by the Secretary-General (A/60/674), as well as on the development of the database mentioned in paragraph 4.

46. The Group noted that at the Assembly's sixty-first session the Secretary-General would submit a full report to the Committee on the implementation of General Assembly resolution 59/287. In view of the various measures that Member States had approved in past years, it would be useful to ensure that the report covered the entire spectrum of activities intended to strengthen investigative functions and enhance accountability, including those undertaken in accordance with resolution 59/287. That would ensure that Member States received a comprehensive assessment of how the various components of the broader accountability framework were working together to ensure that staff at all levels, irrespective of their nationality, were held accountable for any

wrongdoing, in accordance with the rules and regulations of the Organization, due process and principles of justice.

47. **Mr. Hillman** (United States of America) said that his delegation noted the issuance during 2005 of an administrative bulletin (ST/SGB/2005/21) putting into place a comprehensive system of protection against retaliation for reporting misconduct and for cooperating with audits and investigations. Those arrangements enhanced the opportunity for United Nations employees who might be aware of waste, fraud and mismanagement to come forward without fear of reprisals.

48. His delegation also took note of the issuance during 2005 of an information circular (ST/IC/2005/51) clarifying the rules regarding misconduct and disciplinary matters. The United States strongly encouraged the Department of Management, OIOS and the Department of Peacekeeping Operations to continue their efforts to develop and fully implement rules and procedures that would eliminate all forms of sexual exploitation and abuse in United Nations peacekeeping missions.

49. **The Chairman** said that the Secretariat had taken note of the issues raised by the representative of South Africa, speaking on behalf of the Group of 77 and China, and would respond accordingly during the Committee's future discussions of the item.

The meeting rose at 11.20 a.m.